

# **State of Illinois 91st General Assembly Final Senate Journal**

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SENATE JOURNAL

STATE OF ILLINOIS

NINETY-FIRST GENERAL ASSEMBLY

63RD LEGISLATIVE DAY

THURSDAY, JANUARY 13, 2000

9:00 O'CLOCK A.M.

No. 63

[Jan. 13, 2000]

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The Senate met pursuant to adjournment.  
Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.  
Prayer by Reverend Gary Rhodes, Elliott Avenue Baptist Church,  
Springfield, Illinois.  
Senator Sieben led the Senate in the Pledge of Allegiance.

Senator Myers moved that reading and approval of the Journal of  
Wednesday, January 12, 2000 be postponed pending arrival of the  
printed Journal.

The motion prevailed.

## **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

The Committee Report, December, 1999, submitted by the Committee on Police Services pursuant to Senate Resolution 57 in the 91st General Assembly.

A report dated January 2000 submitted by the Office of the Inspector General, Department of Children and Family Services in accordance with 20 ILCS 505/35.5.

The annual Financial Statement and Auditor's Report for the fiscal year ending June 30, 1999, submitted by the Northeastern Illinois Planning Commission.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

#### **EXCUSED FROM ATTENDANCE**

On motion of Senator Demuzio, Senator Molaro was excused from attendance due to illness.

#### **COMMUNICATIONS**

##### **BEVERLY FAWELL STATE SENATOR - 20TH DISTRICT**

January 12, 2000

The Honorable James "Pate" Philip  
President of the Illinois Senate  
327 State House  
Springfield, IL 62706

Dear President Philip:

Please be advised that I am submitting this letter of resignation as Illinois State Senator of the 20th Legislative District effective January 13, 2000 at the hour of 12 noon.

I have greatly enjoyed the privilege of serving in the General Assembly and I thank you for your courtesies.

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Very truly yours

s/Beverly Fawell  
Illinois State Senator

cc: Jim Harry

Secretary of the Senate

At the hour of 9:12 o'clock a.m., Senator Geo-Karis presiding.

#### INTRODUCTION OF BILLS

**SENATE BILL NO. 1329.** Introduced by Senator del Valle, a bill for AN ACT concerning higher education.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1330.** Introduced by Senator Lauzen, a bill for AN ACT to amend the Franchise Disclosure Act of 1987 by changing Section 5.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1331.** Introduced by Senator Geo-Karis, a bill for AN ACT to amend the Transient Merchant Act of 1987.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1332.** Introduced by Senator del Valle, a bill for AN ACT to amend the Rights of Crime Victims and Witnesses Act by changing Section 3.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1333.** Introduced by Senator Radogno, a bill for AN ACT to amend the School Code by changing Section 14-1.09.2.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1334.** Introduced by Senator Obama, a bill for AN ACT to amend the Community Services Act by changing Section 4.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1335.** Introduced by Senator L. Walsh, a bill for AN ACT to amend the Sex Offender Registration Act by changing Sections 8 and 10.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1336.** Introduced by Senator Burzynski, a bill for AN ACT to amend the Environmental Protection Act by changing Section 4.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1337.** Introduced by Senator Hawkinson, a bill for AN ACT to make appropriations for implementing Public Act 91-273.

The bill was taken up, read by title a first time, ordered

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printed and referred to the Committee on Rules.

**SENATE BILL NO. 1338.** Introduced by Senator Maitland, a bill for AN ACT in relation to State finance.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1339.** Introduced by Senator Burzynski, a bill for AN ACT to amend the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985 by changing Sections 3-1, 3-2, 3-4, 3-6, 3A-1, 3A-2, 3A-3, 3A-5, 3C-1, 3C-3, 3C-7, and 4-23.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1340.** Introduced by Senator Syverson, a bill for AN ACT in relation to child support.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1341.** Introduced by Senator Syverson, a bill for AN ACT in relation to child support.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1342.** Introduced by Senator Karpiel, a bill for AN ACT concerning health facility planning.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1343.** Introduced by Senator Radogno, a bill for AN ACT to amend the Consumer Fraud and Deceptive Business Practices Act by changing Section 2JJ.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1344.** Introduced by Senator Peterson, a bill for AN ACT regarding taxation, amending named Acts.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1345.** Introduced by Senator Peterson, a bill for AN ACT concerning taxation, amending named Acts.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1346.** Introduced by Senator Cullerton, a bill for AN ACT to amend the Child Passenger Protection Act by changing Section 4a.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1347.** Introduced by Senator Jacobs, a bill for AN ACT to amend the Illinois Pension Code by changing Section 7-141.1 and to amend the State Mandates Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

#### **PRESENTATION OF RESOLUTION**

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Senator del Valle offered the following Senate Resolution, which was referred to the Committee on Rules:

#### **SENATE RESOLUTION NO. 258**

WHEREAS, School children are one of the largest groups subject to carrying large loads on a daily basis, without supervision or workplace standards; and

WHEREAS, Students who carry a large amount of weight on their backs for long periods of time, both properly and improperly, can permanently damage their backs, which can lead to back pain as adults; and

WHEREAS, According to the American Chiropractic Association, low-back pain is the most common health problem experienced by working Americans today and a condition which costs the nation's economy at least \$50 billion a year in lost wages and productivity; and

WHEREAS, According to the American Chiropractic Association, much low-back pain suffering is brought on by bad habits initiated during our younger years, such as carrying overweight backpacks; and

WHEREAS, Many industries have taken measures to lessen the frequency and severity of spinal cord and internal injuries resulting from carrying excess loads; and

WHEREAS, In a recent study conducted by the American Academy of Orthopaedic Surgeons, 58 percent of orthopedists reported seeing patients complaining of back and shoulder pain caused by heavy backpacks and 70 percent of orthopedists indicated that heavy backpacks can become a clinical problem in school-age children; and

WHEREAS, Medical professionals and organizations, including the American Academy of Pediatrics and the American Chiropractic Association, have recognized chronic back pain associated with the weight and size of backpacks and have made recommendations regarding the use of backpacks; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois State Board of Education to disseminate information to school districts that can be shared with parents regarding the proper use and safe design of backpacks in order to lessen the chances of children suffering from physical injuries as a result of carrying excessive loads on their backs; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the State Superintendent of Education and the Chairperson of the State Board of Education.

#### **RESOLUTIONS CONSENT CALENDAR**

**SENATE RESOLUTION NO. 233**

Offered by Senator E. Jones and all Senators:  
Mourns the death of Darlene L. Paris-Bradley of Chicago.

**SENATE RESOLUTION NO. 234**

Offered by Senator R. Madigan and all Senators:  
Mourns the death of Mary Rodgers of Havana.

**SENATE RESOLUTION NO. 235**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Hubert Lewis Jones of Grafton.

**SENATE RESOLUTION NO. 236**

Offered by Senator Demuzio and all Senators:

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Mourns the death of Paul George "P.G." Fiedler.

**SENATE RESOLUTION NO. 237**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Marion Beach of Jerseyville.

**SENATE RESOLUTION NO. 238**

Offered by Senator Dillard and all Senators:  
Mourns the death of James J. Cizek of Hinsdale.

**SENATE RESOLUTION NO. 239**

Offered by Senator Dillard and all Senators:  
Mourns the death of Alice Jean Halladay of Hinsdale.

**SENATE RESOLUTION NO. 240**

Offered by Senator Lightford and all Senators:  
Mourns the death of Brandon S. Kimber of Chicago.

**SENATE RESOLUTION NO. 241**

Offered by Senator Hawkinson and all Senators:  
Mourns the death of Ralph Allen Killey of Monmouth.

**SENATE RESOLUTION NO. 242**

Offered by Senator O'Malley and all Senators:  
Mourns the death of Thomas Fegan, Sr., of Oak Lawn.

**SENATE RESOLUTION NO. 243**

Offered by Senator O'Malley and all Senators:  
Mourns the death of Lee Roy T. Erickson of Palos Heights.

**SENATE RESOLUTION NO. 244**

Offered by Senator E. Jones and all Senators:  
Mourns the death of Mrs. Sondra Boston-Johnson of Chicago.

**SENATE RESOLUTION NO. 245**

Offered by Senator E. Jones and all Senators:

Mourns the death of Mrs. Betty Ann Ross of Chicago.

**SENATE RESOLUTION NO. 246**

Offered by Senator Lauzen and all Senators:  
Mourns the death of Wanda N. Meyer of Aurora.

**SENATE RESOLUTION NO. 247**

Offered by Senator Lauzen and all Senators:  
Mourns the death of Annunzio Covelli of North Aurora.

**SENATE RESOLUTION NO. 248**

Offered by Senator Noland and all Senators:  
Mourns the death of Keith M. Bell of Bement.

**SENATE RESOLUTION NO. 249**

Offered by Senator E. Jones and all Senators:  
Mourns the death of James L. Wright of Chicago.

**SENATE RESOLUTION NO. 250**

Offered by Senator Lauzen and all Senators:  
Mourns the death of Catherine Shadis of Aurora.

**SENATE RESOLUTION NO. 251**

Offered by Senator Dillard and all Senators:

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Mourns the death of Bob Boydston.

**SENATE RESOLUTION NO. 252**

Offered by Senator Link and all Senators:  
Mourns the death of Paul C. Burke of Waukegan.

**SENATE RESOLUTION NO. 253**

Offered by Senator Dillard and all Senators:  
Mourns the death of John D. Graham of Hinsdale.

**SENATE RESOLUTION NO. 254**

Offered by Senator E. Jones and all Senators:  
Mourns the death of Regina Bibbs of Chicago.

**SENATE RESOLUTION NO. 255**

Offered by Senator E. Jones and all Senators:  
Mourns the death of Edward T. Hanley of Wadsworth.

**SENATE RESOLUTION NO. 256**

Offered by Senators Geo-Karis - Peterson - T. Walsh and all  
Senators:  
Mourns the death of Mary Belle Derderian Murphy.

**SENATE RESOLUTION NO. 257**

Offered by Senators Geo-Karis - Peterson and all Senators:  
Mourns the death of Marija Kajfez Gornik of Beach Park.

Senator Geo-Karis moved the adoption of the foregoing resolutions.

The motion prevailed.

And the resolutions were adopted.

Senator Karpiel asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

Senator Smith asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

At the hour of 9:32 o'clock a.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

#### **AFTER RECESS**

At the hour of 10:22 o'clock a.m., the Senate resumed consideration of business.

Senator Weaver, presiding.

#### **INTRODUCTION OF BILLS**

**SENATE BILL NO. 1348.** Introduced by Senators Sullivan - Cullerton, a bill for AN ACT to amend the Uniform Penalty and Interest Act by changing Sections 3-2, 3-3, and 3-10.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1349.** Introduced by Senator Sullivan, a bill for AN ACT to amend the Illinois Public Aid Code by changing Section 5-5.4.

The bill was taken up, read by title a first time, ordered

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printed and referred to the Committee on Rules.

**SENATE BILL NO. 1350.** Introduced by Senators O'Malley - Petka - Hawkinson - Geo-Karis - Dillard, Cronin, Cullerton, Molaro, Shadid, Silverstein and Obama, a bill for AN ACT to amend the Code of Civil Procedure by changing Sections 8-2001, 8-2003, and 8-2004, changing the heading of Part 20 of Article VIII, and adding Sections 8-2005 and 8-2006.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1351.** Introduced by Senator Burzynski, a bill for AN ACT to amend the Illinois Municipal Code by changing Sections 8-2-9 and 8-3-1.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1352.** Introduced by Senator Cullerton, a bill



for AN ACT to amend the Illinois Vehicle Code by changing Sections 1-182, 6-100, and 6-106.11, and by adding Sections 6-106.12, 6-106.13 and 6-106.14.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1353.** Introduced by Senator Demuzio, a bill for AN ACT to amend the Illinois Identification Card Act by changing Section 8.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1354.** Introduced by Senator Jacobs, a bill for AN ACT to amend the Lobbyist Registration Act by changing Sections 5 and 6 and adding Section 6.3.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1355.** Introduced by Senator Shadid, a bill for AN ACT to amend the Illinois Vehicle Code by changing Section 3-600.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1356.** Introduced by Senator DeLeo, a bill for AN ACT to amend the Illinois Vehicle Code by changing Sections 2-118 and 3-402.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1357.** Introduced by Senator O'Malley, a bill for AN ACT to amend the Illinois Banking Act by changing Section 48.1.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1358.** Introduced by Senators Dillard - Philip, a bill for AN ACT to re-enact the Secure Residential Youth Care Facility Licensing Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1359.** Introduced by Senators Dillard - Philip, a bill for AN ACT to re-enact the amendatory changes to the WIC Vendor

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Management Act made by Public Act 88-680.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1360.** Introduced by Senators Dillard - Philip, a bill for AN ACT to re-enact Article V of the Juvenile Court Act of 1987.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1361.** Introduced by Senators Dillard - Philip - Bomke - O'Malley - Radogno, W. Jones, Petka and Noland, a bill for AN ACT to re-enact Article 25 of Public Act 88-680.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1362.** Introduced by Senators Dillard - Philip - Noland - Bomke - Parker, W. Jones, O'Malley, Radogno and Sullivan, a bill for AN ACT to re-enact provisions of the Rights of Crime Victims and Witnesses Act contained in Article 35 of Public Act 88-680.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1363.** Introduced by Senators Dillard - Philip - Radogno - Sullivan - Parker, W. Jones and O'Malley, a bill for AN ACT to re-enact provisions of the Firearm Owners Identification Card Act contained in Article 50 of Public Act 88-680.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1364.** Introduced by Senators Dillard - Philip - W. Jones - O'Malley - Radogno, Sullivan, Parker and Noland, a bill for AN ACT to re-enact provisions of the Unified Code of Corrections contained in Articles 35 and 50 of Public Act 88-680.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1365.** Introduced by Senators Dillard - Philip - W. Jones - Radogno - O'Malley, Sullivan, Noland and Parker, a bill for AN ACT to re-enact certain criminal provisions of Public Act 88-680.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1366.** Introduced by Senators Dillard - Philip, a bill for AN ACT to amend the Criminal Code of 1961 by adding Section 24-1.6.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1367.** Introduced by Senator Cullerton, a bill for AN ACT concerning fees for administrative review of non-moving traffic violations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

#### **PRESENTATION OF RESOLUTION**

Senators Bowles - Sieben offered the following Resolution, which

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was referred to the Committee on Rules:

**RESOLUTION NO. 259**

WHEREAS, Industrial hemp refers to varieties of the cannabis plant that have a low content of tetrahydrocannabinol (THC) and that are cultivated for fiber and oil; and

WHEREAS, Industrial hemp should not be confused with varieties of cannabis that have high content of tetrahydrocannabinol (THC) and that are commonly referred to as marijuana; and

WHEREAS, The commercial production and cultivation of industrial hemp is now permitted in Canada, under licenses and authorizations issued by Health Canada; and

WHEREAS, Health Canada controls, through rules, all activities relating to the importation, exportation, possession, production, sale, provision, transportation, sending, delivering, and offering for sale of industrial hemp; and

WHEREAS, Industrial hemp is grown legally throughout Europe and Asia; and

WHEREAS, Many farmers facing uncertain times in the agricultural marketplace view the reintroduction of industrial hemp as another potentially alternative crop that will have long-term economic benefits to the farmers who produce hemp and the persons who use hemp in the production of textiles, paper products, concrete reinforcement, automobile parts, plastic, cosmetics, organic foods, and natural body products; and

WHEREAS, Congress never originally intended to prohibit the production of industrial hemp when restricting the production, possession, and use of marijuana; therefore be it

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the United States Congress to acknowledge the difference between the hallucinogenic drug known as marijuana and the agricultural crop known as industrial hemp; to acknowledge that allowing and encouraging farmers to produce industrial hemp will improve the balance of trade by promoting domestic sources of industrial hemp; and to assist United States' producers by clearly authorizing the commercial production of industrial hemp and by being the leading advocate for the industrial hemp industry; and be it further

RESOLVED, That suitable copies of this resolution be delivered to the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, the chairmen of the Agriculture Committees of the United States Senate and House of Representatives, the United States Secretary of Agriculture, and each member of the Illinois congressional delegation.

**REPORT FROM RULES COMMITTEE**

Senator Weaver, Chairperson of the Committee on Rules, during its January 13, 2000 meeting, reported the following Senate Bills have been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Bills numbered 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365 and 1366.**

**PRESENTATION OF RESOLUTION**

Senator Donahue offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules

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for its immediate consideration, moved its adoption:

**SENATE JOINT RESOLUTION NO. 49**

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, January 13, 2000, the Senate stands adjourned until Wednesday, January 19, 2000 at 12:00 o'clock noon; and the House of Representatives stands adjourned until Wednesday, January 19, 2000 at 1:00 o'clock p.m.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

At the hour of 10:31 o'clock a.m., pursuant to **Senate Joint Resolution No. 49**, the Chair announced the Senate stand adjourned until Wednesday, January 19, 2000 at 12:00 o'clock noon.

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